



US Army Corps
Of Engineers

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

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1. **INTRODUCTION:** The Department of the Army has established a Restricted Area around the east side of Yerba Buena Island at the request of the United States Coast Guard, Coast Guard Group San Francisco, Yerba Buena Island, San Francisco, California 94130, (POC: Mike Allgaier (415) 399-3542). This request has been processed pursuant to the provisions of Section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 USC 1) and chapter XIX of the Army Appropriation Act of 1919 (40 Stat. 892; 33 U.S.C. 3).

2. **PROJECT DESCRIPTION:** As shown in the attached drawings (Enclosure 1 and 2), the Restricted Area has been established around the eastern shore of Yerba Buena Island. It will be marked using a series of warning buoys, and all vessels will be prohibited from entering the area without permission from the Commanding Officer of Coast Guard Group San Francisco. Due to the recent Code Orange status, the U.S. Army Corps of Engineers implemented the Restricted Area on a temporary basis, effective from July 3, 2003, for 120 days, or until the final notice is published in the Federal Register and the Restricted Area takes effect. A description of the area and the final regulation are contained below, and can be found in the Federal Register dated April 16, 2004, pages 20547 and 20548:

(a) The area San Francisco Bay on the east side of Yerba Buena Island: From a point along the southeastern shore of Yerba Buena Island at latitude 37° 48'27" North, longitude 122° 21'44" West; east to latitude 37° 48'27" North, longitude 122° 21'35"

West; north to latitude 37° 48'49" North, longitude 122° 21'35" West, a point on the northeastern side of Yerba Buena Island.

(b) The regulation. (1) All persons and vessels are prohibited from entering the waters within the Restricted Area for any reason without prior written permission from the Commanding Officer of the Coast Guard Group San Francisco on Yerba Buena Island. (2) Mooring, anchoring, fishing, transit and/or swimming shall not be allowed within the restricted area without prior written permission from the Commanding Officer of the Coast Guard Group San Francisco on Yerba Buena Island.

(c) Enforcement. The regulation in this section shall be enforced by the Commanding Officer of the Coast Guard Group San Francisco on Yerba Buena Island, and such agencies and persons as he/she shall designate.

3. **PROJECT PURPOSE:** The project purpose is to isolate dock-side/pier face activity from activities that appear to, or potentially present, a terrorist threat. In addition, the project will increase safety for the public in the event of a rapid response by Coast Guard assets for Homeland Defense or Search and Rescue.

4. **ENVIRONMENTAL ASSESSMENT:** The Corps of Engineers has assessed the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to

Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B, and have concluded, based on the minor nature of the proposed Restricted Area regulations, that this action will not have a significant impact to the quality of the human environment, and preparation of an Environmental Impact Statement (EIS) is not required. Unless otherwise stated, the Environmental Assessment only describes the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The documents used in the preparation of the Environmental Assessment are on file in the Regulatory Branch, Corps of Engineers, 333 Market Street, San Francisco, California.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers solicited comments from public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in a Public Notice dated July 3, 2004. No negative comments were received.